REMARKS

This application has been reviewed in light of the Office Action dated December 6, 2004. Claims 25-32 are presented for examination. Claims 25 and 29, which are the independent claims, have been amended to define still more clearly what Applicant regards as his invention. Claim 32 has been added to provide Applicant with a more complete scope of protection. Favorable reconsideration is requested.

Claim 29 was objected to because of the informalities noted on page 2 of the Office Action.

Applicant has amended the phrase "data processing apparatus" in Claim 29 to read --data communication apparatus.-- Accordingly, Applicant submits that the objection to Claim 29 has been obviated, and respectfully requests its withdrawal.

Claims 25-31 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,021,892 (*Kita et al.*).

As shown above, Applicant has amended independent Claims 25 and 29 in terms that more clearly define what he regards as his invention. Applicant submits that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 25 is a method of controlling a data communication apparatus in a data processing system. The data processing system includes the data communication apparatus and a host computer connected to the data communication apparatus by an interface. The method includes a communication step of communicating commands from the host computer to the data communication apparatus through the interface. The data communication apparatus is comprised of units including at least a

- 5 -

scanner unit and a printer unit. The method also includes a checking step of checking, upon receipt of the commands, a status of each of the scanner unit and printer unit of the data communication apparatus. The status indicates whether each of the scanner unit and the printer unit is in a normal or abnormal state and indicates a cause of an abnormality in a case where the status of the scanner unit or the printer unit is in an abnormal state. The method also includes a notification step of notifying the host computer of the checked status of each of the scanner unit and the printer unit discretely.

Among other notable features of Claim 25 is checking, upon receipt of the commands, a status of each of the scanner unit and printer unit of the data communication apparatus. The status indicates whether each of the scanner unit and the printer unit is in a normal or abnormal state and indicates a cause of an abnormality in a case where the status of the scanner unit or the printer unit is in an abnormal state. That is, the host computer is able to recognize not only whether each of the scanner unit and the printer unit is in a normal or abnormal state, but also recognize the cause of an abnormal state, so that the host computer can manage the situation easily and promptly.

Kita et al. relates to an image processing device that is connected to an external data processing device, such as a personal computer. The *Kita et al.* device comprises a multifunctional image processing device 1 corresponding to the data communication apparatus of Claim 25 and the personal computer 8 corresponds to the host computer of Claim 25. *Kita et al.* discusses that the image processing device 1 notifies the personal computer 8 about the information for indicating the occurrence of an error, which is stored in the status area 100 of the RAM 52 as the status in response to a command from the personal computer 8. This "error" indicates whether or not the image processing device 1 is in an error status. However, the error

- 6 -

does not indicate the status of each unit of the image processing device 1, much less indicate the cause of the error.

Kita et al. also discusses that the image processing device 1 provides the personal computer 8 with data "ACK" (S283 of FIG.10d) when the scanner is not busy and with data "NAK" (S279 of FIG.10c) when the scanner is busy, in the case that the personal computer 8 tries to use the scanner unit of the image processing device 1. Furthermore, Kita et al. discusses that the image processing device 1 transfers data "BREAK" to the personal computer 8 when a PAPER REQUEST status is ON (S278 of FIG.10c), in the case that the personal computer 8 tries to use the printer unit of the image processing device 1. That is, Kita et al. discusses that the image processing device 1 notifies the personal computer 8 of certain conditions of the scanner unit and printer unit by forwarding data, such as ACK, NAK and BREAK. However, Kita et al. merely notifies the personal computer 8 of these conditions, but nothing has been found in Kita et al. that would notify the personal computer of a cause of an abnormal state of a unit of the image processing device 1. That is, according to Kita et al., the data BREAK is transferred to the personal computer 8 when the PAPER REQUEST status is ON, namely when the printer runs out of paper, and only in the case that the computer tries to use the printer. Thus, the personal computer 8 can only recognize that the printer is not available , but cannot identify that the printer has run out of paper.

Applicant has found nothing in Kita et al. that would teach or suggest checking, upon receipt of the commands, a status of each of the scanner unit and printer unit of the data communication apparatus, where the status indicates whether each of the scanner unit and the printer unit is in a normal or abnormal state and indicates a cause of an abnormality in a

- 7 -

case where the status of the scanner unit or the printer unit is in an abnormal state, as recited in Claim 25.

For at least this reason, Applicant submits that Claim 25 is clearly patentable over *Kita et al.*

Independent Claim 29 includes features substantially similar to those of Claim 25. Accordingly, Claim 29 is believed to be patentable over *Kita et al.*, for reasons substantially the same as those discussed above in connection with Claim 25.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

Attorney for Applicant
Frank A. DeLucia
Registration No. 42,476

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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